

## REMARKS

Upon entry of this paper, claims 1, 11, 19, and 32 have been amended, claims 7, 18, and 28 have been canceled, and no claims have been added as new claims. Thus, claims 1-6, 8-17, 19-27, and 29-35 are presently pending in this application. No new matter has been added. The cancellation of claims 7, 18, and 28 should in no way be construed to be an acquiescence to any of the rejections stated. Claims 7, 18, and 28 are being canceled solely to expedite the prosecution of the present application. Applicants reserve the option to further prosecute the same or similar claims in the instant or a subsequent patent application.

Applicants gratefully thank the examiner for the indication of allowability of claims 2, 5, 6, 7, 21, and 33-35 if rewritten according to the suggestions stated in the official action. In accordance with the Examiner's suggestions, Applicants have cancelled claims 7, 18, and 28, all claiming similar subject matter, and incorporated the same subject matter into each of the independent claims 1, 11, 19, and 32, thus making all remaining claims allowable as detailed below.

### **Claim Rejections under 35 U.S.C. §102**

#### *Claim 1*

Claim 1 was rejected under 35 U.S.C. §102 as being anticipated by US Patent No. 2,819,692 to Johnson (Johnson '692). Claim 1 has been requested to be amended to more clearly identify the claimed invention in accordance with the Examiner's suggestion for allowable subject matter. Applicants further distinguish the claimed invention according to the following remarks.

Johnson '692 fails to disclose "A locking cover for a component rack having a component tray . . ." See amended claim 1. Johnson '692 is directed toward a safe

deposit receptacle, not a component rack. Johnson '692 further fails to disclose a "... locking cover [that] forms a handle for pulling and pushing said component tray within said component rack." *See* amended claim 1.

Absent such claimed elements, there can be no anticipation of claim 1.  
Applicants therefore respectfully request reconsideration and withdrawal of this rejection.

*Claims 11, 12, 14, 18, 19, 20, 24, 25, 28, and 32*

Claims 11, 12, 14, 18, 19, 20, 24, 25, 28, and 32 were rejected under 35 U.S.C. §102 as being anticipated by US Patent No. 4,401,247 to Zoor (Zoor '247). Claims 11, 19, and 32 have been requested to be amended to more clearly identify the claimed invention in accordance with the Examiner's suggestion for allowable subject matter. Applicants further distinguish the claimed invention according to the following remarks.

Zoor '247 is directed toward a luggage rack fastening device for automobiles. As such, Zoor '247 does not disclose a "... locking system for a component rack ..." (*see* claims 11 and 19), or a "... method of securing a tray within a component rack ..." (*see* claim 32). In addition, Zoor '247 fails to disclose that the "... locking cover forms a handle for pulling and pushing said component tray within said component rack." *See* claims 11 and 19, and *see* also claim 32.

Absent such claimed elements, there can be no anticipation of claims 11, 19, or 32. Applicants therefore respectfully request reconsideration and withdrawal of this rejection

Independent claims 1, 11, 19, and 32, and therefore all claims depending therefrom are allowable because they have been amended to better point out and distinctly claim the feature of the cover serving as a handle for pushing and pulling the component tray into and out of the component rack. Support for the amended language

can be found in the claims as originally presented, such that the addition of new matter has been scrupulously avoided.

To constitute an anticipation under 35 U.S.C. §102, all the claimed elements must be found in exactly the same situation and united in the same way to perform the identical function in a single unit of the prior art. That is, anticipation can only be established by a single prior art reference teaching each and every element of the claimed invention.

Accordingly, applicants respectfully submit that the claims of the present invention are allowable over the cited documents, and such action is kindly requested.

#### **Claim Rejections under 35 U.S.C. §103**

Claim 3 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Johnson '692 in view of US Patent No. 5,865,043 to Loughlin. Claim 4 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Johnson '692 in view of US Patent No. 5,410,897 to Edmondson. Claims 8-10 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Johnson '692. Claim 17 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Zoor '247. Claims 15 and 22 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Zoor '247 in view of US Patent No. 5,865,043 to Loughlin. Claims 16 and 23 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Zoor '247 in view of US Patent No. 5,410,897 to Edmondson. Claims 13, 26, 27, and 29-31 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Zoor '247.

Independent claims 1, 11, 19, and 32 have been requested to be amended to more clearly identify the present invention in accordance with the Examiner's suggestions.

As previously stated, neither Johnson '692, nor Zoor '247 discloses, teaches, or suggests a "... locking cover for a component rack having a component tray ...". See

amended claim 1, see also amended claims 11, 19, and 32., or a “. . . locking cover [that] forms a handle for pulling and pushing said component tray within said component rack.” See amended claim 1, *see also* amended claims 11, 19, and 32. None of the additional references cited herein overcomes the failure to disclose the above claimed elements.

Absent such claimed elements, in addition to other claimed elements not specifically noted, Applicants respectfully submit that claims 11, 19, and 32 are novel and non-obvious in view of the cited references. Dependent claims 2-6, 8-10, 12-17, 20-27, 29-31 and 33-35 are also allowable based on their dependency on the aforementioned independent claims in addition to their own claimed characteristics. Applicants further submit that all pending claims of the present invention are not obvious with respect to, and are therefore allowable over, the cited document.

Applicants respectfully submit that unless a *prima facie* case of unpatentability with respect to known facts is established, applicants are not obliged to proffer any evidence of nonobviousness. To establish a *prima facie* case there must be some suggestion or motivation, either in the prior art or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine multiple reference teachings. There must then be a reasonable expectation of success. Finally, the prior art reference or references (when combined) must teach or suggest all the claimed limitations.

Based on the above remarks, and on the indication by the Examiner that the amendments made herein will place the application in condition for allowance, Applicants believe the present application to be allowable.

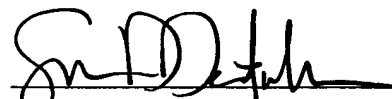
### CONCLUSION

In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance. Applicants courteously solicit allowance of the claims in the form of a Notice of Allowance. Should there be any outstanding issues of patentability following the entry of this response, a telephone interview is respectfully requested to resolve such issues.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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